

Can I appeal the decision?

If the Spencer Plan Commission denies your application for rezone you may amend your application and resubmit for rezoning approval. If the amended application is filed within six months of the Board's denial of the original application, the applicant shall not be charged an application fee.

How long will it take for approval?

The usual process takes approximately 30 – 60 days.

What fees must I pay?

Rezone Application \$125.00



**TOWN OF SPENCER
PLANNING COMMISSION**

Form No. 2 SPC
(A/02-09)

REZONING PROCEDURES

Spencer Municipal Building

90 N West Street

Spencer, Indiana 47460

(812) 829-3213

THIS INSTRUMENT PREPARED BY:
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General...

The Zoning Ordinance's Zoning Map designates all land within the Town of Spencer planning jurisdiction as within one of a number of general use zoning districts. For each general use zoning district, the Zoning Ordinance specifies permitted land uses and contains regulations controlling the intensity and design of a new development.

The Spencer Town Council may, on its own motion, or upon the recommendation of the Town of Spencer Plan Commission amend, supplement, change, modify, or repeal the regulations or district boundaries established by this Ordinance. An application by an interested person shall be submitted to the Spencer Town Council, through and reviewed by the Town of Spencer Plan Commission, which shall consider its merit and make a recommendation to the Spencer Town Council. In no case shall final action by the Spencer Town Council be taken on amending, changing, supplementing, modifying or repealing the regulations or district boundaries hereby established until the Spencer Town Council has held a public meeting. This pamphlet only addresses the process of property owner requesting a rezoning and in all cases the decision to rezone is solely left to the Spencer Town Council.

Property Owner Rezoning Applications...

It is strongly recommended that any person seeking the rezoning of their property first contact the Spencer Municipal Building, who will explain the review process and potential

issues, and provide the necessary forms and checklist.

The review process includes a comprehensive review by Town staff and other applicable agencies, preparation of a staff report and recommendation, review and recommendation by the Town of Spencer Plan Commission, and decision by the Spencer Town Council.

Initiation of an application for rezone...

Rezoning applications may be initiated an owner of property in Town of Spencer by submittal of a rezoning application. After preparing the application the petitioner must submit it to the Spencer Municipal Building at least 15 days prior to the next regularly scheduled meeting of the Spencer Plan Commission.

Staff Review...

After a petition is accepted as complete the applicant shall mail the adjacent property owners notice of the proposed rezoning and the upcoming Spencer Plan Commission meeting at which the application is expected to be reviewed. The applicant shall also post a legal notice in a local newspaper of the proposed rezoning application. Both the notice to adjacent landowners and the legal notice must be complete 10 days prior to the meeting of the Spencer Plan Commission at which the application is expected to be reviewed.

Spencer Plan Commission Review...

The Spencer Plan Commission shall hear presentations of the staff report, comments from the petitioner, and comments from other interested parties. They will then discuss the application and decide whether to recommend its approval or denial.

After hearing comments and the Board's discussion, the petitioner may ask the Boards Permission to revise the application to address those comments. If the Board grants that request, the review process starts over with submittal of the revised application to the Spencer Municipal Building.

Spencer Town Council Review...

The Spencer Town Council at the first regularly scheduled meeting following the meeting of the Spencer Plan Commission will hear presentations of the staff report, comments from the petitioner, comments from other interested parties, and the recommendations of the Spencer Plan Commission.

If the application is approved, the Planning Staff will revise the Town Zoning Map and the rezoned land is subject to the regulations applicable in the new zoning district(s).